

1 BILL NO. G-87-05 - 21

2 GENERAL ORDINANCE NO. G-Lost

3 ~~AN ORDINANCE OF THE COMMON COUNCIL OF THE~~  
4 ~~CITY OF FORT WAYNE, INDIANA AMENDING~~  
5 ~~CHAPTER 28 OF THE MUNICIPAL CODE ENTITLED~~  
6 ~~"TAXICABS."~~

7 WHEREAS, Chapter 28 of the Municipal Code of  
8 the City of Fort Wayne, Indiana entitled "Taxicabs" is  
9 in need of revision.

10  
11 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON  
12 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

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14  
15 SECTION 1. That Section 28-5 (11) is deleted  
16 in its entirety.

17  
18 SECTION 2. That Section 28-6 (b) is deleted  
19 in its entirety.

20  
21 SECTION 3. That Section 28-11 (a)(1) be  
22 repealed and replaced with the following sentence:

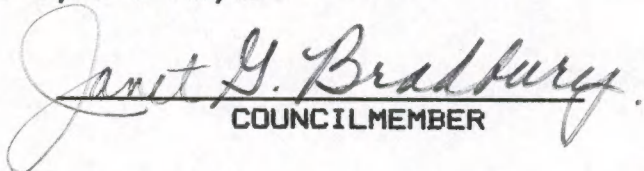
23  
24 "Liability coverage in an amount no less  
25 than one hundred thousand dollars  
26 (\$100,000.00) single limit per occurrence;  
27 and  
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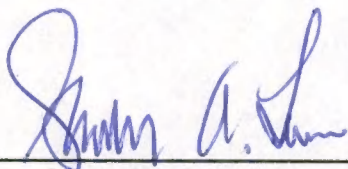
SECTION 4. That Section 28-16 (d)(3) be amended by adding the following sentence:

"Four door vehicles shall be required for a person to operate a taxicab in the City of Fort Wayne."

SECTION 5. This ordinance shall be in full force and effect from and after its passage, and any and all necessary approval by the Mayor.

  
COUNCILMEMBER

APPROVED AS TO FORM AND LEGALITY.

  
\_\_\_\_\_  
Stanley A. Levine  
Attorney for Common Council  
Dated this \_\_\_\_\_ day of \_\_\_\_\_, 1987

Read the first time in full and on motion by Bradbury,  
seconded by Redd, and duly adopted, read the second time  
by title and referred to the Committee Regulation (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne  
Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S

DATE: 5-26-87

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry,  
seconded by Talmer, and duly adopted, placed on its  
passage. ~~PASSED~~ (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>2</u>	<u>5</u>	_____	<u>1</u>	_____
<u>BRADBURY</u>	_____	_____	_____	<u>✓</u>	_____
<u>BURNS</u>	_____	<u>✓</u>	_____	_____	_____
<u>EISBART</u>	_____	_____	<u>✓</u>	_____	_____
<u>GiaQUINTA</u>	<u>✓</u>	_____	_____	_____	_____
<u>HENRY</u>	_____	<u>✓</u>	_____	_____	_____
<u>REDD</u>	<u>✓</u>	_____	_____	_____	_____
<u>SCHMIDT</u>	_____	<u>✓</u>	_____	_____	_____
<u>STIER</u>	_____	<u>✓</u>	_____	_____	_____
<u>TALARICO</u>	_____	<u>✓</u>	_____	_____	_____

DATE: 6-9-87

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort  
Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING MAP) ORDINANCE (RESOLUTION) NO. \_\_\_\_\_  
on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,

ATTEST:

(SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana,  
on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_,  
at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_, at the hour of \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

WIN MOSES, JR., MAYOR

shall file an application for a permit with the clerk of board of public works and safety upon a form which the board of public works and safety shall provide, free of charge, to all applicants. Such applications shall be verified under oath and shall furnish the following information:

- (1) The name of the applicant;
- (2) The name of the applicant's business and whether the business is owned individually, as a partnership, or as a corporation;
- (3) Applicant's business location;
- (4) Applicant's business mailing address;
- (5) Applicant's business phone number;
- (6) Applicant's home address and home phone number of the person signing the application;
- (7) The number of permits requested;
- (8) Make, model, vehicle identification number, title number and state license plate number for each vehicle to be permitted;
- (9) The trade name under which the business will operate, the telephone number which will be used by customers to contact the business for service, the color scheme of the vehicles the applicant intends to operate;
- (10) The names and addresses of any and all persons holding a ten (10) per cent or greater beneficial interest in the applicant's business or company. Failure to disclose such interest holders shall be grounds for the denial of the application of any applicant and the immediate revocation of the permit or permits of any permittee;
- (11) A statement by the applicant that it intends to own or lease at least three (3) taxicabs for use in her business;
- (12) The type and amount of communication equipment which the applicant intends to own or lease for the use in her business. Nothing contained herein shall prevent the applicant from renting communication services from an existing dispatch provider;

- (13) Whether the applicant is capable of providing or intends to provide full twenty-four-hour taxicab service in each day of each week, in the operation of her business;

- (14) A statement by the applicant that it intends to purchase a policy of insurance which conforms to the requirements for insurance set out in this chapter;

- (15) Such other information as the board of public works and safety may require.

(b) The applicant shall also submit attachments to the application, to the board of public works and safety to show compliance with the following terms and conditions:

- (1) Proof of inspection of the vehicle by a taxicab inspector to be designated by the board of public works and safety pursuant to Article IV, below.

- (2) Insurance certification proving that the applicant has met the insurance requirements of this chapter.

- (3) Such other documentation as may be required by the board of public works and safety, necessary to verify the truthfulness of the application under consideration. (Ord. No. S-201-85, § 1, 10-22-85)

#### **Sec. 28-6. Issuance of permits.**

(a) After examining all submitted applications for compliance with this chapter, the board of public works and safety shall issue or deny permits to the qualifying applicants on a first-come, first-served basis, as determined by the date the application was submitted. Permits shall be issued or denied within sixty (60) days after the date of the application submission.

(b) A minimum of three (3) permitted four-door vehicles shall be required for a person to operate in the City of Fort Wayne. No permits shall be issued to any individual or taxicab company who, upon initial application for permit, fails to qualify at least three (3) vehicles for receipt of permits. Any person engaged in the taxicab business in Fort Wayne under a permit or permits first issued by the board of public works and safety is prohibited from reducing the number of permits she holds to under three (3) vehicles.

**Sec. 28-11. Liability insurance.**

- (a) During the term of a permit issued pursuant to this chapter, the permittee or owner of a taxicab authorized by the permit shall maintain in full force and effect at no cost to the city a comprehensive auto and general liability insurance policy. The terms and conditions of the policy shall provide for the following:
- (1) Liability coverage in an amount no less than five hundred thousand dollars (\$500,000.00) single limit per occurrence; and
  - (2) Issued by an admitted insurer or an insurer deemed acceptable by the board of public works and safety, or an insurer as defined by the laws of the State of Indiana; and
  - (3) Providing that the City of Fort Wayne, its officers, employees and agents are to be named as additional insureds under the policy; and
  - (4) Covering all losses and damages as specified in section 28-12; and
  - (5) Stipulating that the policy will operate as primary insurance and that no other insurance effected by the city or other named insured will be called on to contribute to a loss covered thereunder; and
  - (6) Embodies in the policy a provision that no cancellation, change in coverage, or expiration by the insurance company or the insured shall occur during the term of the taxicab vehicular permit, without thirty (30) days' written notice to the board of public works and safety prior to the effective date of such cancellation or change in coverage.
- (b) The fully paid policy of insurance required by subsection (a) shall be presented to the board of public works and safety at the time of making application for permits and at the time of inspection as set out in section 28-12.
- (c) In the event of failure of any owner to obtain or maintain in effect such deposit or such insurance policy, the board of public works and safety shall order the cancellation of the permit as provided in this section.

this chapter shall be operated whose color scheme, identifying design, monogram, or insignia to be used therein shall, in the opinion of the board of public works and safety, conflict with or imitate any color scheme, design, monogram, or insignia used on or in any vehicle or vehicles used operating under another taxicab permit of the city, or pursuant to any other such law or statute, in such manner as to be misleading or intended to deceive or defraud the public.

(c) *Display of names and rates.*

- (1) *Rate structure.* The board of public works and safety shall promulgate rules and regulations requiring the external display of the fare structure of the permittee's taxicabs. The display shall include:
  - a. The distance for which the original flag drop pays;
  - b. The rate per mile thereafter;
  - c. The charge per minute waiting time;
  - d. Any surcharges added to the fare for service to specific locations or during specific hours.
- (2) *Exterior information.* There shall be on the outside of each taxicab, signs, cards or plates, of a durable or permanent structure, showing the permittee's taxicab business name, taxicab permit number and current telephone number. The taxicab business name and telephone number shall be displayed prominently on both sides of the taxicab in accordance with board of public works and safety regulations.

(d) *Exterior conditions.*

- (1) All taxicab vehicle bodies shall conform to the general specifications of the manufacturer.
- (2) All exterior paint work shall be maintained in good condition, free of substantial scratches, chips and abrasions.
- (3) All doors must have operating handles that allow opening from both inside and outside. Handles, knobs, and arm rests are to be free of breaks and must be securely mounted.

BILL NO. G-87-05-21

REPORT OF THE COMMITTEE ON Committee of the Whole REGULATIONS

WE, YOUR COMMITTEE ON Committee of the Whole REGULATIONS TO WHOM WAS  
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) OF THE COMMON COUNCIL

OF THE CITY OF FORT WAYNE, INDIANA AMENDING CHAPTER 28 OF THE  
MUNICIPAL CODE ENTITLED "TAXICABS"

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG  
LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE)  
(~~RESOLUTION~~)

YES

NO

JANET G. BRADBURY  
CHAIRPERSON

Charles B. Redd CHARLES B. REDD  
VICE CHAIRMAN

THOMAS C. HENRY

PAUL M. BURNS

BEN A. EISBART

CONCURRED IN 6-9-87

Samuel J. Talarico - Samuel J. Talarico  
SANDRA E. KENNEDY  
CITY CLERK